

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

MARC SILVER, *et al.*,
Plaintiffs,

v.

BA SPORTS NUTRITION, LLC,
Defendant.

Case No. [20-cv-00633-SI](#)

**ORDER OVERRULING
DEFENDANT'S OBJECTIONS TO
SPECIAL MASTER'S ORDER NO. 4**

Re: Dkt. No. 134

Defendant has filed an objection to the Special Master's Order No. 4, which granted in part and denied in part plaintiffs' motion to compel production of documents. Defendant raises the following objections: (1) defendant should not be required to produce documents related to off-label marketing materials; (2) the scope of production should be limited to a four-year time period, not six years; (3) NAD documents are irrelevant; and (4) defendant should only be required to collect and search for documents once.

Pursuant to paragraph 16 of the Court's April 21, 2021, Order Appointing Martin Quinn as Special Master, the Court "shall review findings of fact made or recommended by the Special Master for clear error." Mixed findings or findings of law are reviewed de novo. Dkt. No. 109 (citing Rule 53(g)).

The Court has reviewed the Special Master's order, the parties' briefing on defendant's objections, and the record supplied by defendant and OVERRULES defendant's objections for the reasons stated in the Special Master's order as well as plaintiff's response to defendant's objections. Defendant shall comply with the Special Master's order within 7 days of the filing date of this order.

IT IS SO ORDERED.

Dated: September 1, 2021



SUSAN ILLSTON
United States District Judge